

00862.022249.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: Jerome Grant II
TOSHIAKI SAITO)	
	:	Art Unit: 2626
Appln. No.: 09/867,472)	
	:	
Filed: May 31, 2001)	Confirmation No.:7632
	:	
For: IMAGE COMMUNICATION)	
APPARATUS AND ITS	:	
CONTROL METHOD)	September 7, 2005

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON THE EXAMINER'S REASONS FOR ALLOWANCE

Sir:

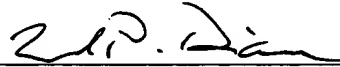
Applicant submits the following comments on the Examiner's statement of reasons for allowance in the Notice of Allowability that accompanied the Notice of Allowance dated July 29, 2005. On page 2, paragraph 1, it states "Claims 2, 4-6 and 11 are allowed for the reason that the prior art does not teach or suggest in claimed combination, "...wherein when transmission of a color image is instructed, the mode controller selects the memory transmission mode if the transmission of the color image as a monochrome image is inhibited by the setter, or the direct transmission mode if the transmission of the color image as a monochrome image is permitted by the setter." Applicant submits that, in addition to the recitations noted by the Examiner, the recitations of (1) a setter, arranged to

set whether a color image is transmitted as a monochrome image or not when the partner apparatus does not have color reception performance and (2) a mode controller, arranged to control a switch between a memory transmission mode which starts transmission of an image after the image is stored in a memory, and a direct transmission mode which generates an image to be transmitted after the communication with the partner apparatus is started, are neither disclosed nor suggested by the cited prior art.

It further states on page 2, paragraph 1, that “Claim 17 and 22-25 are allowed for the reason that the prior art does not teach in claimed combination, “... wherein when the transmission of a color image is instructed, the controlling step selects the memory transmission mode if the transmission of the color image as a monochrome image is inhibited in the setting step, or the direct transmission mode of the transmission of the color image as a monochrome image is permitted in the setting step.” Applicant submits that, in addition to the recitations noted by the Examiner, the recitations of (1) setting whether a color image is transmitted as a monochrome or not when the partner apparatus does not have color reception performance and (2) controlling a switch between a memory transmission mode which starts transmission of an image after the image is stored in a memory, and a direct transmission mode which generates an image to be transmitted after the communication with the partner apparatus is started, are neither disclosed nor suggested by the cited prior art.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "L.P. Diana", is written over a horizontal line.

Attorney for Applicant

Leonard P. Diana

Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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